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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

11 KAYSEE NITTA,  
12 Plaintiff,  
13  
14 vs.  
15 UNITED STATES OF AMERICA,  
16 Defendants.

CASE NO. 2:17-CV-01137-GWN-CWH

STIPULATION AND ORDER TO EXTEND  
DISCOVERY DEADLINES  
(FIRST REQUEST)

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18 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of  
19 record, hereby stipulate and request that this Court extend discovery in the above-captioned case  
20 ninety (90) days, up to and including July 18, 2018. In addition, the parties request that the  
21 dispositive motions and pretrial order deadlines be extended for an additional ninety (90) days as  
22 outlined herein. In support of this Stipulation and Request, the parties state as follows:

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24 1. On April 24, 2017, Plaintiff filed her Complaint in United States District Court, District  
25 of Nevada.  
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27 2. On June 23, 2017, Defendant filed its Answer.  
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3. On August 28, 2017, the parties submitted a proposed scheduling order to the Court.

1       4. On September 20, 2017, Plaintiff received Defendant's 26.1 list of witnesses and  
2       documents.

3       5. On September 21, 2017, Plaintiff served her 26.1 list of witnesses and documents.

4       6. On November 6, 2017, Plaintiff propounded written discovery on Defendant.

5       7. On December 21, 2017, Defendant served its responses to Plaintiff.

6       8. On January 2, 2018, Plaintiff noticed the depositions of two lay witnesses, Ana Smith, and  
7       Natalie Weckesser.

8       9. On January 3, 2018, Defendant propounded written discovery on Defendant.

10       **DISCOVERY REMAINING**

11       1. Plaintiff will take the deposition of Defendant. Defendant will take the deposition of  
12       Plaintiff.

13       2. The parties will take the depositions of Plaintiff's medical providers once Defendant is  
14       able to obtain the medical records.

15       3. The parties will take the depositions of expert witnesses.

16       4. The parties will take the depositions of any and all other witnesses garnered through  
17       discovery.

19       This request for an extension of time is not sought for any improper purpose or other  
20       purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient  
21       time to conduct discovery.

23       **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

24       The parties have been compiling documents and investigating the instant action. The  
25       parties are actively engaged in discovery and will proceed with necessary case depositions.

26       Counsel for Plaintiff has been actively litigating a capital murder case, *State of Nevada v.*  
27       *Bryan Clay*, C-12-281930-1, which recently concluded. Additionally, counsel for Plaintiff has  
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1 been occupied in dealing with new developments affecting this case, including continued medical  
2 treatment of Plaintiff.

3 Extension or Modification of the Discovery Plan and Scheduling Order. LR 26-4 governs  
4 modifications or extension of this discovery plan and scheduling order. Any stipulation or motion  
5 must be made not later than twenty-one (21) days before the expiration of the subject deadline  
6 and comply fully with LR 26-4.

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8 The following is a list of the current discovery deadlines and the parties' proposed  
9 extended deadlines:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Close of Discovery	April 19, 2018	Wednesday, July 18, 2018
Amendment to Pleadings	January 19, 2018	Thursday, April 19, 2018
Plaintiff's Expert Disclosure	January 19, 2018	Thursday, April 19, 2018
Defendant's Expert Disclosure	February 18, 2018	Monday, May 21, 2018
Plaintiff's Rebuttal Expert Report(s)	March 20, 2018	Wednesday, June 20, 2018
Interim Status Report	February 18, 2018	Monday, May 21, 2018
Dispositive Motions	May 19, 2018	Friday, August 17, 2018
Joint Pretrial Order <sup>1</sup>	June 18, 2018	Monday, September 17, 2018

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23 This Request for an extension of time is not sought for any improper purpose or other  
24 purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient  
25 time to conduct discovery in this case and adequately prepare their respective cases for trial.

26 This is the First Request for an extension of time in this matter. The parties respectfully

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28 1 However, if dispositive motions are filed, the proposed joint pretrial order will be due thirty  
days after the rulings on such dispositive motions.

1 submit that the reasons set forth above constitute compelling reasons and good cause for the short  
2 extension.

3 WHEREFORE, the parties respectfully request that this Court extend the discovery period  
4 by ninety (90) days from the current deadline of April 19, 2018, up to and including July 18,  
5 2018, and the other discovery dates as outlined in accordance with the table above.

6 DATED this 4<sup>th</sup> day of January, 2018.

7 DATED this 4<sup>th</sup> day of January, 2018.

8 SGRO & ROGER

UNITED STATES OF AMERICA

9  
10 */s/ Eunice M. Beattie, Esq.*  
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15 **ORDER**

16 IT IS SO ORDERED.

17 Dated this January 5th, 2018.

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20 UNITED STATES MAGISTRATE JUDGE  
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